

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION**

**CITY OF ROCKFORD**  
*on behalf of itself and  
all others similarly situated,*

Plaintiff,

v.

**MALLINCKRODT ARD, INC.,  
formally known as QUESTCOR  
PHARMACEUTICALS, INC.;  
MALLINCKRODT PLC; EXPRESS SCRIPTS  
HOLDING COMPANY; EXPRESS SCRIPTS,  
INC.; CURAScript, INC., *doing business as*  
CURAScript, SD; ACCREDO HEALTH  
GROUP, INC., *and* UNITED BIOSOURCE  
CORPORATION**

Defendants.

Civil Action No.: 3:17-cv-50107

Judge Iain D. Johnston

Magistrate Judge Lisa A. Jensen

**DECLARATION OF DONALD E. HAVILAND, JR., ESQ.  
IN SUPPORT OF PLAINTIFF CITY OF ROCKFORD'S REPLY MEMORANDUM OF  
LAW TO EXPRESS SCRIPTS ENTITIES' AND MALLINCKRODT'S RESPONSES TO  
PLAINTIFF'S MOTION FOR RECONSIDERATION OF MOTION TO COMPEL  
CONTRACT COMMUNICATIONS AND DRAFTS**

Pursuant to 28 U.S.C. § 1746, I, Donald E. Haviland, Jr., Esquire, hereby declare under penalty of perjury under the laws of the United States of America that the following is true and correct.

1. I am Lead Counsel for Plaintiff the City of Rockford. I have personal knowledge of the matters stated herein.

2. This Declaration is submitted in support of Plaintiff's Reply Memorandum of Law to Mallinckrodt's and Express Script Entities' Responses to Plaintiff's Motion for Reconsideration of Motion to Compel Contract Communications and Drafts.

3. Attached hereto as Exhibits “A” is a true and correct copy of the letter dated April 20, 2022 from Hugh Murtagh, Latham Watkins LLP, to Meghan McCaffrey, Esq.

4. Attached hereto as Exhibits “B” is a true and correct copy of the email dated November 1, 2022 from Eric Shapland to Donald Haviland, Jr, Esq.

5. Attached hereto as Exhibits “C” is a true and correct copy of the Hearing Transcript before the Honorable Lisa A. Jansen on June 22, 2023.

6. Attached hereto as Exhibits “D” is a true and correct copy of the Twelfth Amendment To The Exclusive Wholesale Product Purchase Agreement dated 9/1/2017.

7. Attached hereto as Exhibits “E” is a true and correct copy of the Privilege Log Excerpt with common interest.

8. Attached hereto as Exhibits “F” is a true and correct copy of the email dated 10/31/2014 from Steve Cartt to scartt@comcast.net.

9. Attached hereto as Exhibits “G” is a true and correct copy of the “Project Quincy Due Diligence Final Report Out - Draft”.

10. Attached hereto as Exhibits “H” is a true and correct copy of the document with the caption “Mallinckrodt Completes Acquisition of Questcor Pharmaceuticals”.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, that I am subject to punishment.

Dated: July 13, 2023

By: s/ Donald E. Haviland Jr.  
Donald E. Haviland, Jr.